

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1808

5 By: Representative A. Collins
6 By: Senator C. Tucker
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE LAW CONCERNING MUNICIPAL FIRE
10 DEPARTMENTS; TO CREATE THE BILL OF RIGHTS FOR
11 FIREFIGHTERS; AND FOR OTHER PURPOSES.
12
13

Subtitle

14
15 TO AMEND THE LAW CONCERNING MUNICIPAL
16 FIRE DEPARTMENTS; AND TO CREATE THE BILL
17 OF RIGHTS FOR FIREFIGHTERS.
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 14, Chapter 53, is amended to add an
22 additional subchapter to read as follows:

Subchapter 2 — Bill of Rights for Firefighters

14-53-201. Purpose.

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26 (a) The purpose of this subchapter is to recommend a basic Bill of
27 Rights for firefighters of municipalities in Arkansas.

28 (b) A municipality may adopt a local ordinance establishing any or all
29 of the procedures under this subchapter as a guide for negotiating personnel
30 issues with its firefighters.

14-53-202. Definitions.

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32 As used in this subchapter:

33
34 (1) "Firefighter" means a public servant vested by law with the
35 primary duty of fighting fires and providing fire protection services to a
36 municipality;



1 (2) "Formal proceeding" means a proceeding heard before any
2 officer, committee, or other body of municipal government with the authority
3 to take disciplinary action against a firefighter; and

4 (3) "Official departmental charges" means a written document
5 from the fire chief or other lawful authority notifying the accused
6 firefighter that charges of misconduct have been made and setting forth the
7 specifics of the alleged misconduct.

8
9 14-53-203. Disciplinary proceedings.

10 When a firefighter is under investigation for alleged improper conduct
11 with a possible result of termination, demotion, or other disciplinary action
12 causing loss of pay or status, the following minimum standards shall apply:

13 (1) Adverse inference shall not be drawn and no punitive action
14 shall be taken from a refusal of the firefighter being investigated to
15 participate in the investigation or be interrogated other than when the
16 firefighter is on duty or is otherwise fully compensated for the time spent
17 in accordance with municipal and departmental overtime policy, state law, and
18 federal law;

19 (2) An interrogation of a firefighter shall take place at:

20 (A) The office of those conducting the investigation;

21 (B) The place where the firefighter reports for duty; or

22 (C) Another reasonable place as the investigator may
23 determine;

24 (3) The firefighter being investigated shall be informed at the
25 commencement of his or her interrogation of:

26 (A) The nature of the investigation;

27 (B) The identity and authority of the person or persons
28 conducting the investigation; and

29 (C) The identity of all persons present during the
30 interrogation;

31 (4) During the interrogation of the firefighter, questions will
32 be posed by or through only one (1) interrogator at a time;

33 (5) An interrogation of a firefighter in connection with an
34 investigation shall be for a reasonable period of time and shall allow for
35 reasonable periods for the rest and personal necessities of the firefighter;

36 (6) No threat, harassment, promise, or reward shall be made to a

1 firefighter in connection with an investigation in order to induce the
 2 answering of any questions that the firefighter has a legal right to refrain
 3 from answering, but immunity from prosecution may be offered to induce such a
 4 response;

5 (7)(A) An interrogation of a firefighter in connection with an
 6 investigation against him or her shall be recorded in full.

7 (B) The firefighter may make his or her own independent
 8 recording of the interrogation and have one (1) witness of his or her
 9 choosing present who shall be:

10 (i) An attorney; or

11 (ii) A member of the fire department who is not
 12 related in any way to the matter under investigation;

13 (8) A formal proceeding with the authority to administer
 14 disciplinary action against a firefighter shall not be held unless official
 15 departmental charges are brought;

16 (9) Official departmental charges shall contain the:

17 (A) Specific conduct that is alleged to be improper;

18 (B) Date and the time of the alleged misconduct;

19 (C) Witnesses whose information provided the basis for the
 20 charges; and

21 (D) Specific rules, regulations, orders, or laws alleged
 22 to have been violated;

23 (10)(A) A firefighter under official departmental charges is
 24 entitled to a predisciplinary hearing before the fire chief, if the
 25 disciplinary action is being considered.

26 (B) The firefighter may select a person of his or her
 27 choosing to be present at the hearing; and

28 (11) A formal proceeding under which a firefighter may be
 29 penalized shall not be brought except upon charges signed by the person
 30 making those changes.

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 32 14-53-204. Disclosure not required for promotion or assignment.

33 A firefighter shall not be required to disclose any of the following
 34 information as it relates to the firefighter or a member of the firefighter's
 35 household for the purpose of promotion or assignment:

36 (1) An item of his or her property;

- 1 (2) Income;
- 2 (3) Assets;
- 3 (4) Debts; or
- 4 (5) Expenditures.

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6 14-53-205. Notification of personnel action.

7 Except under exigent circumstances, a firefighter shall be notified of
 8 the pending action by written official departmental charges a reasonable time
 9 before the action is taken when a personnel action may result in a loss of:

- 10 (1) Pay;
- 11 (2) Benefits; or
- 12 (3) Status.

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14 14-53-206. Participation in political activities.

15 Except when on duty or acting in his or her official capacity, a
 16 firefighter of a municipality shall not be:

- 17 (1) Prohibited from engaging in political activity; or
- 18 (2) Denied the right to refrain from engaging in the political
 19 activity.

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21 14-53-207. No retaliation for exercise of rights — Other legal
 22 remedies.

23 (a) A firefighter shall not be penalized or threatened with a penalty
 24 for exercising his or her rights under this subchapter.

25 (b) This subchapter is not an exclusive legal remedy for a firefighter
 26 with respect to any rights a firefighter has under this subchapter.